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JFW

Attorney Docket No. T9376.DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PETER PAL VARGA et al. )  
TITLE: INTERVERTEBRAL SPACING )  
IMPLANT SYSTEM )  
SERIAL NO.: 10/055,673 )  
FILED: January 22, 2002 )  
EXAMINER D. Willse )  
ART UNIT: 3738 )

RESPONSE D

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Responsive to the Advisory Action mailed October 18, 2004, applicants request entry of this Response D and reconsideration of the above-captioned application. This response addresses every ground of rejection set forth in the Advisory Action.

A period for reply was set to expire four (4) months from the mailing date of the final rejection dated May 4, 2004. Accordingly, a Petition for a three-month extension of time and PTO

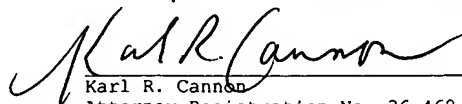
Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 4 day of November, 2004.

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Karl R. Cannon  
Attorney Registration No. 36,468  
Attorney for Applicant

Form 2038 (credit card payment form) appropriate in amount to cover the corresponding fee are also enclosed.